



**Statement on
behalf of South Africa
by**

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(International Law)**

at the

**Department of International Relations and
Cooperation of the Republic of South Africa in
the Sixth Committee of the General Assembly**

under Agenda Item

**“Report of the United Nations Commission on
International Trade Law on the work of its Fiftieth
Session”**

9 October 2017

Mr Chairman

Thank you for affording us the floor on this agenda item. First and foremost, my delegation welcomes this opportunity to express our support and appreciation for the work of UNCITRAL. UNCITRAL makes a valuable contribution to the harmonization of international trade law. The reduction or removal of legal barriers improves the flow of international trade, which is to the benefit of developing countries.

Mr Chairman

UNCITRAL works on a wide variety of topics within the field of international trade law. The outcomes on many of these topics have the potential of greatly benefitting developing states. For example, the work on Micro, Small and Medium sized enterprises can make valuable contributions towards streamlining the process of establishing Limited Liability Organisations in many States. UNCITRAL's work on electronic commerce does important work in harmonizing the rules in an increasingly important area of trade law that affects consumers in the developed and developing world.

Mr Chairman

My delegation has noticed with interest the change of topic of Working Group III of UNCITRAL. We welcome the increased focus on investor-state dispute settlement (ISDS) and note that UNCITRAL has been one of the very few international fora that have consistently focused on the concerns that have been raised in relation to ISDS by a number of States, including my own. We look forward to participating in the work of this newly renamed Working Group.

Mr Chairman

There is one aspect about the re-classification of Working Group III that does raise some concern within my delegation. Work on ISDS has traditionally been undertaken by Working Group II of UNCITRAL. It does therefore appear that the mandate of Working Group II has been eroded to allow for the new mandate of Working Group III. My delegation hopes that, in practice, the new mandate of Working Group III will not adversely impact on the work of Working Group II.

Mr Chairman

Finally, my delegation is encouraged by the efforts made by the UNCITRAL Secretariat to provide technical cooperation and assistance in relation to the promotion and adoption of UNCITRAL texts. However, it is our view that the first step in promoting UNCITRAL texts would lie in broadening participation of Member States in the work of UNCITRAL. Specifically, it is our view that broader inclusiveness in the work of UNCITRAL, especially from amongst developing and Least Developed Countries, could lead to broader approval and acceptance of the texts developed by UNCITRAL. My delegation would welcome initiatives aimed at improving the resources and funding of UNCITRAL towards this goal.

I thank you for your attention.